

# THE ARCHAEOLOGY FORUM

*a grouping of independent bodies concerned with archaeology*

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26 May 2009

Dear Ian Greenwood ,

### **Consultation on the transposition of EC INSPIRE Directive 2007/2/EC into UK law**

The Archaeology Forum is a grouping of the key, non-governmental organisations concerned with archaeology in the UK. Its members include the Association of Local Government Archaeological Officers UK, the Council for British Archaeology, the Institute of Conservation, the Institute for Archaeologists, the National Trust, the National Trust for Scotland, Rescue, the Society of Antiquaries of London, the Society of Antiquaries of Scotland, the Federation of Archaeological Managers and Employers, and the Society of Museum Archaeologists UK.

The Archaeology Forum is pleased to have the opportunity to contribute to this consultation by Defra and the Devolved Administrations of Northern Ireland, Scotland and Wales on the proposals for transposition of the Infrastructure for Spatial Information in the European Community (INSPIRE) Directive 2007/EC into UK law. The Forum welcomes the benefits which a common protocol offers for sharing spatial data across administrative boundaries in the UK. We believe that the opportunities and efficiencies that would flow from the implementation of the INSPIRE framework should more than outweigh the resources required to implement it.

Our comments relate to the management of spatial data relevant for the protection and care of the historic environment and individual heritage assets in the UK.

## **Consultation Questions**

### **Transposition**

The Archaeology Forum welcomes the principles adopted as the basis for preparing the transposition and for achieving consistency with other regulations for environmental information already adopted in the UK. The Forum agrees that the definitions of ‘public authority’ in use in these regulations can sensibly be adopted for the purposes of this Directive.

We note in Annex 1 Paragraph 9 ( c ) (i) the intention to limit the application of the Directive to the level of District Councils or their equivalents in Northern Ireland, Scotland and Wales in circumstances in which such authorities are legally required to collect or disseminate spatial datasets. The application of the Directive at the level of local government proposed would, we believe, be entirely appropriate for the historic environment. The principal spatial datasets for the historic environment which local authorities hold are in Historic Environment Records (HERs), sometimes know as Sites and Monuments Records (SMRs)). While there is currently no statutory duty for local authorities in the UK to collect historic environment data, the obligation on them to provide this information is implicit in current planning policy and guidance for the protection of archaeology (for example, in PAN42 in Scotland and PPG16 in England) and in related statutory instruments such as the General Permitted Development Order.

The limitations for public access to spatial datasets and discovery services set out in Annex 1 paragraph 25 appear to be proportionate and in accordance with current practice under the EIR and EIR(Scotland). The Forum takes a similar view of the provisions proposed for data access and sharing between public authorities

### **Impact Assessment**

No comments.

### **Other Issues**

The Forum welcomes the inclusion of protected sites among the spatial themes listed in Annex I of the Directive. We are strongly of the view that the interpretation of ‘protected sites’ for the purposes of the Directive ( defined as an ‘area designated or managed within a framework of international, Community and Member States’ legislation to achieve specific conservation objectives’) should be inclusive of designated and non-designated sites, monuments, historic buildings and areas. These are protected and managed for conservation objectives through the statutory land-use planning systems of England, Northern Ireland, Scotland and Wales and for this purpose HERs and SMRs in local authorities collect and disseminate spatial data for all aspects of the historic environment in their areas, whether designated or non-designated. We will welcome clarification of this inclusive interpretation of protected sites in the further stages of the work on transposing the INSPIRE Directive.

Thank you for providing the Archaeology Forum with an opportunity to comment on the introduction of this significant EC Directive into UK law.

Yours sincerely,

A handwritten signature in black ink that reads "Gill Chitty". The signature is written in a cursive style with a large, sweeping loop at the end of the name.

Gill Chitty,  
Council for British Archaeology,  
Secretary, The Archaeology Forum

**The Archaeology Forum's members are:**

*The Association of Local Government Archaeological Officers UK*  
*The Council for British Archaeology*  
*The Institute of Conservation*  
*The Institute for Archaeologists*  
*The National Trust*  
*The National Trust for Scotland*

*Rescue: the British Archaeological Trust*  
*The Society of Antiquaries of London*  
*The Society of Antiquaries of Scotland*  
*The Federation of Archaeological Managers and Employers*  
*The Society of Museum Archaeologists UK*